NCA
VOC FOR IOP/FN
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PANAMA CANAL SENATE DEBATE: PHASE TWO

ANNCR:

THE OPENING, OR STAGE-SETTING, PHASE OF THE U.S. SENATE DEBATE ON RATIFICATION OF THE PANAMA CANAL TREATIES WILL SOON GIVE WAY TO MORE DETAILED ANALYSIS AND ARGUMENT IN THE SENATE CHAMBER. VOA'S LARRY LESUEUR HAS THIS BACKGROUND REPORT.

VOICE:

PHASE TWO OF THE SENATE DEBATE ON THE PANAMA CANAL TREATIES THAT WOULD TRANSFER CONTROL OF THE CANAL TO PANAMA BY THE YEAR 2000 AND GUARANTEE ITS NEUTRALITY THEREAFTER, IS EXPECTED TO BE LENGTHY, SPIRITED AND DECISIVE. IT WILL START ON FEBRUARY 20 AND GO ON FOR AT LEAST FIVE WEEKS, INCLUDING A RARE, CLOSED-DOOR SENATE SESSION.

THE SENATE LEADERS OF BOTH POLITICAL PARTIES HAVE AGREED THAT THE SENATE WILL GIVE THE TREATIES THEIR UNDIVIDED ATTENTION UNTIL THE FINAL VOTE. SENATE DEMOCRATIC MAJORITY LEADER ROBERT BYRD AND REPUBLICAN MINORITY LEADER HOWARD BAKER HAVE BOTH MADE KNOWN THAT THEY WILL SUPPORT THE TREATIES NEGOTIATED BY THE ADMINISTRATION -- IF THEY INCLUDE AN UNDERSTANDING, KNOWN AS THE BYRD-BAKER FORMULA, INTERPRETING THE TREATIES TO AFFIRM THE U.S. RIGHT TO PROTECT THE CANAL AND GIVE PREFERRED PASSAGE TO U.S. SHIPS IN CASE OF MILITARY EMERGENCY. BOTH CONCEPTS WERE INCLUDED IN A STATEMENT ISSUED BY PRESIDENT CARTER AND PANAMANIAN CHIEF OF GOVERNMENT OMAR TORRIJOS SEVERAL WEEKS AFTER THEY SIGNED THE TREATIES.

AT THE END OF THE OPENING DEBATE, BOTH SENATE POLITICAL LEADERS ACKNOWLEDGED THAT PUBLIC SUPPORT FOR THE PANAMA CANAL TREATIES IS BY NO MEANS OVERWHELMING. BUT THEY SAID THEY EXPECTED

PUBLIC SUPPORT WILL INCREASE AS DEBATE PROCEEDS. A DILEMMA SOME SENATORS FACE IS WHETHER TO VOTE FOR THE TREATIES IF THEY THEMSELVES SUPPORT THEM BUT THEIR CONSTITUENTS DO NOT. SENATE MAJORITY LEADER BYRD ACKNOWLEDGES THAT MANY OF HIS CONSTITUENTS OPPOSE THE TREATIES. BUT HE SAYS IT'S HIS RESPONSIBILITY TO INFORM THEM AND LEAD THE CITIZENS HE REPRESENTS. ONE SENATOR DECLARES THAT EVEN THOUGH HE PERSONALLY SUPPORTS THE TREATIES HE WILL PROBABLY VOTE AGAINST THEM BECAUSE HIS HOME STATE VOTERS ARE MOSTLY OPPOSED. THAT STANCE IS SUPPORTED BY ANOTHER SENATOR WHO OPPOSES THE TREATIES AND SAYS: "IF THEY DO NOT ENJOY PUBLIC SUPPORT, THEY WILL NOT PREVAIL."

AT ANY RATE, BOTH THE SENATE DEMOCRATIC AND REPUBLICAN LEADERS BOTH CONCEDE THAT AT THIS POINT THERE IS NO CERTAINTY THAT THE 67 "YES" VOTES WILL MATERIALIZE IN THE ONE-HUNDRED-MEMBER SENATE . NOR ARE THE TREATY OPPONENTS SURE THEY HAVE THE 34 NEGATIVE VOTES NEEDED TO BLOCK THE TREATIES UNDER THE CONSTITUTIONALLY-REQUIRED SENATE TWO-THIRDS AFFIRMATIVE VOTE RULE.

THE UNCERTAINTY OF THE SITUATION UNDERSCORES THE DISTINCTIVENESS OF THE U.S. TREATY-MAKING PROCESS AND THE CRUCIAL CONSTITUTIONAL ROLE OF THE U.S. SENATE IN TREATY RATIFICATION.

IN THE COURSE OF THE FORTHCOMING DEBATE, TREATY OPPONENTS, LED BY SENATE REPUBLICANS ROBERT DOLE OF KANSAS AND ROBERT GRIFFIN OF MICHIGAN, ARE EXPECTED TO OFFER AS MANY AS 30 OR 40 AMENDMENTS, EACH REQUIRING APPROVAL BY MAJORITY VOTE. THESE WOULD BE IN ADDITION TO THE BYRD-BAKER FORMULA, AFFIRMING THE U.S. RIGHT TO PROTECT THE CANAL AND PERMITTING U.S. SHIPS TO GO TO THE HEAD OF THE LINE IN EMERGENCIES. AN

UNSETTLED QUESTION IS WHETHER THIS UNDERSTANDING, NOT DISPUTED BY PANAMA OR THE U.S., REQUIRES FORMAL AMENDMENT, OR IS SIMPLY AN INTERPRETATION. THAT WOULD NOT REQUIRE REOPENING NEGOTIATIONS.

WJL/RCS